

Rec'd PCT/PTO 08 NOV 2005

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First-Named Inventor: John Patrick, Cass  
Application No.: 10/534,163 Conf.: 1407  
Date Filed: 05/05/05

Docket No.: AT03 0007 US  
USPTO Customer No. 24738

Title: DEVICE FOR INCLUDING USE-ENABLING MEANS FOR ENABLING THE  
DEVICE TO BE USED IN DEPENDENCE ON A GESTURE RECOGNITION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE DO/EO/US

Sir:

In response to the Notice to File Missing Parts dated 10/06/05, please note the following remarks. Applicant is currently presenting for the above-captioned application:

- ☒ an executed Declaration and Power of Attorney.  
☒ a copy of the USPTO Notification of Missing Requirements.  
☒ authorization to charge any fees due at this time to deposit account no. 14-1270.  
☐ other: \_\_\_\_\_

Applicant believes that the concerns raised by the Notification of Missing Requirements under 35 U.S.C. 371 in the DO/EO/US have been addressed. Therefore, Applicant respectfully requests that a patent issue without further delay.

The Commissioner is hereby requested and authorized pursuant to 37 CFR §1.136(a)(3), to treat any concurrent or future reply in this application requiring a petition for extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. Please charge any additional fees which may now or in the future be required in this application, including extension of time fees, but excluding the issue fee unless explicitly requested to do so, and credit any overpayment, to Deposit Account No. 14-1270.

Date: NOV. 8th, 2005

Respectfully submitted,

By

*Kevin Simons*

Kevin Simons, Reg. No. 45,110  
(408) 474-9075  
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Intellectual Property & Standards  
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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the USPTO at (703) 746-4060, on the date indicated below.

(Date) 11/08/05  
(Signature) *[Signature]*  
(Name) Villmaina Naga

11/23/2005 WALLACE  
01 FC:1617

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08 NOV 2005

**PHILIPS****Philips Intellectual Property & Standards****FACSIMILE TRANSMITTAL TO  
THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>TO:</b>	<b>FACSIMILE No.:</b>	<b>TELEPHONE No.:</b>
PCT Help Desk Commissioner for Patents P.O. Box 1450 Arlington, VA 22313-1450	(703) 305-3230	( ) -
<b>ATTENTION:</b>	<b>Examiner:</b> _____	
	<b>Art Unit:</b> 2188	

  

<b>FROM:</b>	<b>TELEPHONE No.:</b>
Kevin Simons, Reg. No. 45,110	(408) 474 - 9075
<b>RE:</b>	<b>Serial No.:</b> 10/534,163
	<b>Attorney Docket No.:</b> AT03 0007 US

**TRANSMISSION INCLUDES:****6 Pages (including cover sheet)**Response to Notification of missing requirement- 1 pageNotification of Missing Requirement - 2 pagesExecuted Declaration - 2 pages

<b>CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8</b>	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office at the number listed above	
on <u>11/08</u> 2005	by <u>Vilimaina Naga</u>

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/534,163

FIRST NAMED APPLICANT

John Cass

ATTY. DOCKET NO.

AT03 0007 US

INTERNATIONAL APPLICATION NO.

PCT/IB03/04895

I.A. FILING DATE

10/31/2003

PRIORITY DATE

11/12/2002

24738

PHILIPS ELECTRONICS NORTH AMERICA CORPORATION  
INTELLECTUAL PROPERTY STANDARDS  
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SAN JOSE, CA 95131

PHILIPS IP&S - SIG	SJC OCT 13 2005
Docketed IN	DM OCT 13 2005
NL Copied	
Docketed OUT	

CONFIRMATION NO. 1407

371 FORMALITIES LETTER



\*OC000000017190166\*

Date Mailed: 10/06/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/05/2005
- Copy of the International Search Report filed on 05/05/2005
- Preliminary Amendments filed on 05/05/2005
- Information Disclosure Statements filed on 05/05/2005
- U.S. Basic National Fees filed on 05/05/2005
- Priority Documents filed on 05/05/2005
- Power of Attorney filed on 05/05/2005
- Specification filed on 05/05/2005
- Claims filed on 05/05/2005
- Abstracts filed on 05/05/2005
- Drawings filed on 05/05/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

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additional fees required for this application is \$130 for a Large Entity:

130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO. 10/534,163	INTERNATIONAL APPLICATION NO. PCT/IB03/04895	ATTY. DOCKET NO. AT03 0007 US
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FORM PCT/DO/EO/805 (371 Formalities Notice)

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